

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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KENNETH W. PENDLETON,

Plaintiff,

v.

MADISON POLICE DEPARTMENT,  
DET. JOHN MESSERT and  
P.O. KELLEY E. DOUGHERTY,

Defendants.

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ORDER

12-cv-84-slc

Plaintiff Kenneth Pendleton, a prisoner at the Dodge Correctional Institution in Waupun, Wisconsin, has submitted a proposed complaint. He requests leave to proceed *in forma pauperis*. A decision on the request will be delayed until plaintiff makes an initial partial payment of the filing fee as required by 28 U.S.C. § 1915(b) and the 1996 Prison Litigation Reform Act. Plaintiff's initial partial payment cannot be calculated at this time because he has not submitted a certified copy of his six-month trust fund account statement.

Plaintiff's complaint was submitted on February 6, 2012. His trust fund account statement should cover the period beginning approximately August 6, 2011 and ending approximately February 6, 2012. Once plaintiff has submitted the necessary statement, I will calculate his initial partial payment and advise him of the amount he will have to pay before the court can screen the merits of his complaint under 28 U.S.C. § 1915(e)(2). Plaintiff should show a copy of this order to prison officials to make sure that they are aware they should send a copy of plaintiff's six-month trust fund account statement to this court.

ORDER

IT IS ORDERED that plaintiff Kenneth Pendleton may have until February 29, 2012, in which to submit a trust fund account statement for the period beginning August 6, 2011 and ending approximately February 6, 2012. If, by February 29, 2012, plaintiff fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily. In that case, the clerk of court is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 7<sup>th</sup> day of February, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge